United States Court of Appeals
For The District of Columbia Circuit

No. 02-5335 **September Term, 2002**
02cv01530

Filed On: Feb. 12, 2003

James G. Mahorner, an individual and a member of the governed class,
Appellant

v.

George W. Bush, Jr., *et al.*,
Appellees

BEFORE: Ginsburg, Chief Judge; Randolph and Tatel, Circuit Judges

ORDER

Upon consideration of the motion for summary affirmance, the response thereto, the reply, the motion to expedite, and the response thereto, it is

ORDERED that the motion for summary affirmance be granted. The merits of the parties' positions are so clear as to warrant summary action. *See Taxpayers Watchdog, Inc. v. Stanley*, 819 F.2d 294, 297 (D.C. Cir. 1987) (per curiam); *Walker v. Washington*, 627 F.2d 541, 545 (D.C. Cir.) (per curiam), *cert. denied*, 449 U.S. 994 (1980). The district court correctly held that appellant lacks standing to pursue his claims concerning the President's authority to wage war and the provision of foreign aid to Israel. *See, e.g., Lujan v. Defenders of Wildlife*, 504 U.S. 555 (1992); *Valley Forge Christian College v. Americans United for Separation of Church and State*, 454 U.S. 464 (1982). It is

FURTHER ORDERED that the motion to expedite be dismissed as moot.

Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate herein until seven days after resolution of any timely petition for rehearing or petition for rehearing en banc. *See* Fed. R. App. P. 41; D.C. Cir. Rule 41(b).

Per Curiam

/s/ [Illegible]
/s/ APR
/s/ [Illegible]